

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

**Fair Isaac Corporation; and myFICO
Consumer Services, Inc.,**

Plaintiffs,

Civil Action No. 06 CV 4112 (ADM-JSM)

v.

**Equifax Inc.; Equifax Information Services
LLC; Experian Information Solutions, Inc.;
Trans Union, LLC; and VantageScore
Solutions, LLC; and Does I through X,**

Defendants.

DECLARATION OF CHUCK ROBIDA

Pursuant to 28 U.S.C. § 1746, I Chuck Robida, declare and say as follows:

1. The information contained in this Declaration is true and correct and based upon my personal knowledge. I am over 18 years of age, and I am competent to testify as to the matters set forth herein.

2. I submit this Declaration in support of Defendants' opposition to Fair Isaac's motion to compel dated August 8, 2007, and in particular Fair Isaac's request for production of the algorithm, specifications, and development documents concerning Experian's Scorex PLUS credit risk scoring service (together, "Scorex PLUS algorithm-related information").

3. I am a Director, Research and Development, Decision Sciences, at Experian Information Solutions, Inc. ("Experian"). I was chief architect and lead developer of the Scorex PLUS scoring system. My knowledge regarding the Scorex PLUS credit risk scoring service and

the Scorex PLUS algorithm-related information therefore is based on my direct involvement in the development of the Scorex PLUS scoring service.

4. The Scorex PLUS algorithm-related information includes the algorithm itself (the formulas that combine individual credit characteristics and weighs the numerical expressions of those characteristics, called attributes, to compose a model that generates a score to help predict future credit performance), the specifications for the model (the instructions to the computer for how to apply the algorithm and generate a credit score), and documents describing the process of developing the Scorex PLUS model. In developing the Scorex PLUS Algorithm, experts at Experian analyzed hundreds of attributes in thousands of potential combinations before arriving at a final credit scoring system.

5. The Scorex PLUS algorithm is the product of substantial amounts of research and development conducted in strict secrecy. This secrecy was necessary because the Scorex PLUS algorithm is one of the most important intellectual property assets owned by Experian. Development information reflecting all or part of the Scorex PLUS algorithm continues to be treated by Experian as confidential trade secrets and is available to only a limited number of employees.

6. Based on my direct experience with the development of the Scorex PLUS model, it would be extraordinarily difficult if not impossible for an outsider, without access to the Scorex PLUS algorithm, to reverse engineer the formulas in the model. Such an outsider would have access to only the score produced by the algorithm but not the attributes or scorecards used, the weighing of input attributes within the model, or other critical information kept confidential by Experian.

7. The Scorex PLUS algorithm and, in particular, the proprietary code and specifications within the algorithm, are core intellectual property assets of Experian, the rights to which Experian vigorously protects. If the algorithm, specifications, or code became public knowledge, then competitors could copy or incorporate the Scorex PLUS methodologies into their own credit risk scoring services. This would place Experian at an extreme competitive disadvantage and would substantially harm its ability to compete in the marketplace.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 14, 2007.



Chuck Robida
Director, Research and Development, Decision Sciences
Experian Information Solutions, Inc.